

Jason C. Hegt  
Direct Dial: +1.212.906.1686  
Jason.Hegt@lw.com

1271 Avenue of the Americas  
New York, New York 10020-1401  
Tel: +1.212.906.1200 Fax: +1.212.751.4864  
www.lw.com

**LATHAM & WATKINS LLP**

**MEMO ENDORSED**

**The Application is granted.**

**VIA ECF**

October 21, 2021

**SO ORDERED:**

  
Paul G. Gardephe, U.S.D.J.

**Dated:** October 26, 2021

Hon. Paul G. Gardephe  
United States District Court Judge  
United States District Court, Southern District of New York  
40 Foley Square, Room 2204  
New York, NY 10007

Re: In re Vroom, Inc. Securities Litigation, No. 1:21-cv-02477-PGG

Dear Judge Gardephe:

We represent defendants Vroom, Inc. (“Vroom” or the “Company”), Paul J. Hennesssy, David K. Jones, Robert J. Mylod, Jr., Scott A. Dahnke, Michael J. Farello, Laura W. Lang, Laura G. O’Shaughnessy, and Adam Valkin (collectively, “Vroom Defendants”) in the above-referenced matter. We write respectfully pursuant to Rules I(A) and (D) of Your Honor’s Individual Rules of Practice in Civil Cases to request that the Court extend the deadlines for the Parties’ pre-motion letters in connection with Defendants’ anticipated motion(s) to dismiss. All parties consent to this request.<sup>1</sup>

This lawsuit is a putative securities class action governed by the Private Securities Litigation Reform Act of 1995 (“PSLRA”). On August 5, 2021, the Court granted Lead Plaintiff’s motion to consolidate several related cases. ECF No. 52. On October 4, 2021, Plaintiff timely filed the Consolidated Amended Complaint, ECF No. 60, which added claims against ten new Defendants—six members of Vroom’s board of directors and the four Underwriter Defendants. The Underwriter Defendants’ responsive pleadings are due on November 2, 2021 and November 4, 2021. *See* ECF Nos. 65-68. The six newly added individuals agreed to waive service of the summons on October 5, 2021; accordingly, their responsive pleadings would not be due until December 6, 2021. *See* Fed. R. Civ. P. 4(d)(3). By contrast, the three defendants who were named in the earlier versions of this lawsuit are currently obligated to file their pre-motion letter on October 25, 2021.

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<sup>1</sup> The other parties to this action are: Lead Plaintiff Rhondda Cynon Taf Pension Fund (“Lead Plaintiff”) and Defendants Goldman Sachs & Co. LLC, BofA Securities Inc., Allen & Company LLC, and Wells Fargo Securities, LLC (collectively, the “Underwriter Defendants,” and collectively with the Vroom Defendants, “Defendants”).

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In order to promote efficiency and to allow the newly added parties to coordinate in the submission of non-duplicative pre-motion letters, we write pursuant to Rule IV(A) of Your Honor's Individual Rules of Practice in Civil Cases to seek the entry of a single schedule for pre-motion letters that would apply to uniformly to every defendant, as follows:

|   | <b>Current Schedule</b> | <b>Agreed Proposed Schedule</b> |
|---|-------------------------|---------------------------------|
| <b>Defendants' Pre-Motion Conference Letter</b>                 | October 25, 2021        | November 12, 2021               |
| <b>Lead Plaintiff's Pre-Motion Conference Opposition Letter</b> | November 1, 2021        | November 19, 2021               |

This is the first request for an extension of the deadline for pre-motion letters.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Jason C. Hegt  
Jason C. Hegt  
of LATHAM & WATKINS LLP

cc: All Counsel of Record (via ECF)